

FILED
In Open Court
USDC, Mass.
Date 11/21/05
By [Signature]
Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

CRIMINAL NO. 05-10113-DPW

v.

REYLANDO REYES,
a/k/a REYLANDO RISE,
a/k/a RAYNALDO RISE,
a/k/a RAYLANDO RISE,
a/k/a RAY RISE,

Defendant.

REPORT & ORDER ON
INITIAL STATUS CONFERENCE

ALEXANDER, M.J.

On November 21, 2005, parties appeared before this Court for an Initial Status Conference. With regard to the following issues, the parties have represented that:

1. Unusual or complex issues presented requiring early joint conference of District Judge and Magistrate Judge with attorneys

None presented that would require early joint conference of District Judge and Magistrate Judge with attorneys.

2. Features of case that deserve special attention or modification of the standard schedule.

In July 2005, former Counsel for Defendant, Elliot Weinstein, had a major family medical emergency requiring his full attention, and which deserves special attention or modification of the standard schedule. Therefore, the parties seek relief from the otherwise applicable timing requirements imposed by L.R. 116.3.

3. Anticipated supplemental discovery

Although the government has provided the defendant with all documents and other discoverable materials in this case pursuant to automatic discovery, the government may receive additional discoverable information, which it will turn over to the defense. Additionally, the defendant does not presently have any discoverable information, but pursuant to their agreement to provide reciprocal discovery, will provide the government with any such information received in the future.

Additionally, Counsel for Defendant seeks an additional thirty (30) days to determine whether to seek further discovery.

4. Discovery concerning expert witnesses pursuant to Fed. R. Crim. P. 16(a)(1)(E) & 16(b)(1)(C)

The defendant and government seek discovery concerning any expert witnesses, pursuant to Fed. R. Crim. P. 16(a)(1)(G). The government has agreed to provide the defendant with discovery concerning any expert witnesses forty-five (45) days before trial, and the defendant has agreed to provide the government with any reciprocal discovery concerning expert witnesses within forty-five (45) days of trial as required

under Fed. R. Crim. P. 16(b)(1)(C).

5. Applicable periods of excludable delay under Speedy Trial Act

The parties request that the period between November 17, 2005 and the date of the next scheduled Status Conference be excluded under the Speedy Trial Act.

6. Trial is / is not anticipated. Estimated duration of trial

Trial is anticipated. The parties estimate that 3 - 5 trial days will be necessary in this case.

7. Other matters

Counsel for defendant may file dispositive motions in this case, and requests that the Court schedule a date for the filing of any motions. The parties, also request that a Final Status Conference be scheduled for a date during the third week of December, 2005 or early January, 2006.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12(c) has / has not been established. The motion date is set for _____.

An Interim Status Conference has / has not been scheduled. The Interim Status Conference will be held at _____ on _____ in _____ courtroom.

A Final Status Conference will be held at _____ on _____ in _____ courtroom.

Pursuant to LR 116.5(C), parties shall confer and, not later than three (3) business days before the Final Status Conference, prepare and file a joint Final Status Conference Memorandum.

Additional Orders:

Parties shall meet prior to the Initial Status Conference in order to respond to the above stated inquiries.

By the Court,

Date _____

Deputy Clerk